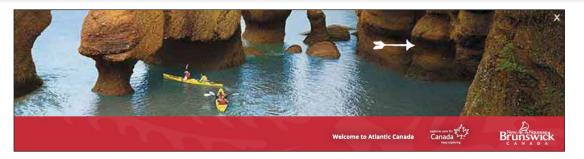
EXHIBIT 12

Explains the Modern.



PUBLIC EDITOR

Inquiry

A Rare Libel Suit Against The Times

Texting Suicide Case



Murray Energy Corporation, one of the largest coal mining companies in the country, has just taken a step that most companies never dare try: It sued The New York Times for libel.

In a $\underline{\text{legal claim announced last Friday}}$, Murray Energy asserts that $\underline{\text{a recent}}$ Times editorial falsely accused the company's founder, Robert Murray, of lying about the cause of a deadly mine collapse and wrongly asserted that his company violated federal regulations in excess of industry norms.

To the untrained eye, this might look like routine legal jousting. But hardly anyone jousts with The Times when it comes to formally asserting libel. When they do, they almost never win. I'm told by the legal department here that the last time the newspaper lost a libel suit in the United States was at least the early 1960s. (It has lost two in Russia, one in 2015.)

In the case of Murray Energy, The Times said in a statement: "We haven't been served with the complaint, but we're confident that our editorial was accurate and we intend to defend the case vigorously."

It's perhaps not surprising that it is Robert Murray trying to buck the odds against The Times. He has emerged as one of the more outspoken coal company executives amid tensions over environmental regulations. In one 2007 Times article, he was referred to as having a "bombastic" style and a man who pushes against well established wisdom, including the concept of climate change.





The Public Editor

Liz Spayd, the sixth public editor, is at the intersection of Times readers and Times journalists

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Manslaughter in Texting Suicide Case

I asked Murray Energy officials why they had chosen to sue, since it's more typical that the aggrieved party would pursue other means of rectifying any perceived misstatements - like seeking a correction. (Opinion editors say they're unaware of such a request.)

In an email, the company referred me to a statement, of which the most illuminating part was this: "The New York Times, of course, supported Hillary Clinton, who famously declared her agenda to 'put a lot of coal miners and coal companies out of business.' Murray Energy instituted this suit, in part, in attempt to ensure that such an agenda is not furthered by The New York Times's false and defamatory statements."

It's hard to tell whether Robert Murray has the stamina, or even the desire, to engage a sustained battle with The Times. My bet is that by grabbing a few headlines, he's gotten most of what he came for. But it's curious how few companies or individuals actually do sue the paper for allegedly libelous claims. That's a good thing if this is a measure of how rarely people feel defamed by The Times. It's a bit more disconcerting if it suggests that those with a legitimate claim feel too intimidated to even try.

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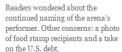
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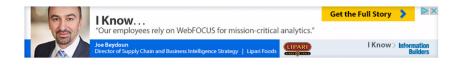
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The smoke had barely cleared from the Manchester attack before The New York Times ran forensic-evidence images. British officials were angry. So were readers.

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